
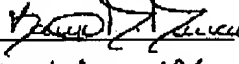


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AUG 17 2004

 <p>12740 San Fernando Rd. Sylmar, CA 91342</p>	FAX TRANSMITTAL To: US Patent & Trademark Office Examiner Joseph S. Machuga, Art Unit 3762, phone (703) 305-6184 Fax: (703) 872-9306 From: Laura Haburay Bishop phone (661) 362-1906 fax (661) 362-1507 Date: August 17, 2004 Pages: Eleven (11), Including Cover Page Re: Amendment Under 37 CFR 1.116 for S/N 09/929,597, filed 08/13/2001 (August 13, 2001); Attorney Docket No.: AB-126U	Certificate of Transmission I hereby certify this correspondence, including the papers listed, is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9306 on this date: <u>August 17, 2004</u> Typed Name: <u>Karyn M. Murray</u> Signature:  Date: <u>2004 Aug 17</u>
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MESSAGE:

Please find attached:

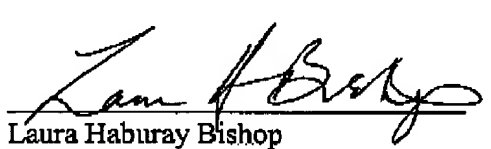
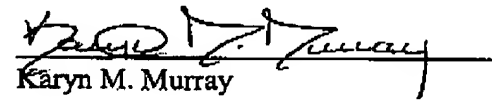
- Amendment Transmittal Letter, including authorization to charge \$110 to Deposit Account (1 page); and
- Amendment Under 37 CFR 1.116, responding to a final Office Action mailed April 19, 2004, for Application Serial Number 09/929,597 (9 pages).

Thank you.

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AMENDMENT TRANSMITTAL LETTER				Attorney Docket No: AB-126U		
Application Serial Number: 09/929,597		Filing Date: 8/13/2001		Examiner: Joseph S. Machuga		Group Art Unit: 3762
Title: Fully Implantable Microstimulator for Spinal Cord Stimulation as a Therapy for Chronic Pain						
TO THE COMMISSIONER OF PATENTS AND TRADEMARKS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	21	MINUS	24	0	\$18	\$0
INDEP. CLAIMS	3	MINUS	3	0	\$84	\$0
<input checked="" type="checkbox"/> Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>4/19/2004</u> to and through <u>8/17/2004</u> , comprising an extension of the shortened statutory period of: <div style="display: flex; justify-content: space-around;"> <div> <input checked="" type="checkbox"/> one month (\$110) <input type="checkbox"/> two months (\$410) </div> <div> <input type="checkbox"/> three months (\$930) <input type="checkbox"/> four months (\$1,450) </div> </div>						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						
<input checked="" type="checkbox"/> Charge \$ <u>110.00</u> to Deposit Account <u>50-0648</u> . <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <u>2004 Aug 17</u> Date </div> <div style="text-align: center;">  Laura Haburay Bishop Reg. No. 47424 </div> </div> <p style="margin-top: 100px;">I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9306 on <u>August 17, 2004</u>.</p> <div style="text-align: center; margin-top: 20px;">  Karyn M. Murray </div>						

OFFICIAL

Docket No.: AB-126U

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CENTRAL FAX CENTER****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****AUG 17 2004**Appl. No.: 09/929,597
Conf. No.: 9184Applicants: Whitehurst, et al.
Filed: August 13, 2001
TC/A.U.: 3762
Examiner: Joseph S. MachugaTitle: Fully Implantable Microstimulator for
Spinal Cord Stimulation as a Therapy for
Chronic PainDocket No.: AB-126U
Customer No.: 23845**Certificate of Transmission or Transmission**
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Alexandria, VA, 22313-1450, or is being facsimile
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on this date: August 17, 2004Typed Name: Karyn M. MurraySignature: [Handwritten Signature]Date: 2004 Aug 17Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT AFTER FINAL
EXPEDITED HANDLING REQUESTED****Amendment Under 37 CFR 1.116**

Dear Examiner:

This amendment responds to the final Office action mailed April 19, 2004 (Paper #7) for the above-identified application, in which claims 1, 3, 7-18 and 21-24 were rejected. An extension fee for response within the first month is being submitted concurrently herewith.

By way of the present amendment, claims 1, 2, 17, 19 and 20 have been amended. Twenty one (21) claims remain pending in the application, claims 1-3 and 7-24, of which claims 1, 17 and 20 are independent. Applicants submit that this Amendment places the claims in condition for allowance and/or in better form for consideration on appeal. It is earnestly requested that this Amendment be considered and entered.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Application Number 09/929,597
Amendment dated August 17, 2004
Reply to Office Action mailed April 19, 2004

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